

Councilman Pannell moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Pannell, 3; nays, none, Councilmen Reed and Steck absent.

The Council then recessed.

Approved: 
M a y o r .

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 19, 1929.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; absent, Councilman Steck, 1.

The Minutes of the last meeting were read and Councilman Pannell moved the adoption of same as read. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, 4; nays, none, Councilman Steck absent.

A communication from W. T. Caswell, Chairman Park Commission, recommending that the City purchase two certain tracts of land along Shoal Creek from F.W.Hill and Burt Brydson for park and boulevard purposes, was read and the matter referred to the City Manager for more detailed information and report to the Council.

A petition signed by the business firms and residents in the 200 block on West Eighth Street, asking for one hour parking restrictions along this street, was read and referred to the City Manager and City Attorney to have an ordinance drawn covering the matter.

The Mayor laid before the Council the following resolution:

WHEREAS, the City of Austin owns Lot Five (5) in Alm Hill, a Subdivision of Outlot 44, Division "B" of the City of Austin, and containing one acre of land, and being the tract of land marked "Reservoir Block", in Gammel & Taylor's Subdivision of said Outlot, and being the same property heretofore on June 28, 1884, conveyed by City Water Company to Austin Water, Light & Power Commission, as recorded in Book 76, at page 44, et seq., of the Deed Records of Travis County, Texas, said land having been so purchased for the use of the Water, Light & Power Plant of the City of Austin; and

WHEREAS, the City Council has determined that the South 134x209 feet out of said property shall be used hereafter exclusively for public park purposes, and that the value thereof is Forty-seven Hundred and Sixty-two & 02/100 (\$4762.02) Dollars; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the sum of Forty-seven Hundred and Sixty-two & 02/100 (\$4762.02) Dollars

be and the same is hereby transferred from the Parks & Playgrounds Bond Fund to the General Fund of the City of Austin, on account of the premises above stated.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

A written protest by George Mendell, Attorney for F. M. Covert, Clarence Covert, and Joseph Fischer, abutting property owners, against the repaving of Guadalupe Street from Fifth to Sixth Streets, was read and ordered filed.

The Mayor laid before the Council the following report of the Consulting Engineer, H. R. F. Helland:

"Austin, Texas, September 19, 1929

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

This is to advise that the Southwest Bitulithic Company has completed paving and other improvements on Colorado Street from the north line of First Street to the south line of Second Street according to the plans and specifications adopted for these improvements.

I therefore recommend the acceptance of these improvements.

Yours very truly,

(Sgd) H. R. F. Helland, Consulting Engineer."

The above report was received and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS
CONSTRUCTED BY SOUTHWEST BITULITHIC COM-
PANY ON A PORTION OF COLORADO STREET IN
THE CITY OF AUSTIN, PROVIDING FOR PAYMENT
OF ANY BALANCE DUE BY THE CITY FOR ITS
PORTION OF THE COSTS OF SAID IMPROVEMENTS
AND FOR THE DELIVERY OF CERTIFICATES OF
ASSESSMENTS AGAINST ABUTTING PROPERTY
AND ITS OWNERS.

WHEREAS, on the 19th day of April, 1929, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

COLORADO STREET from the north property line of West First Street to the south property line of West Second Street, known and designated as Unit or District No. 6; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City and have been found satisfactory and in accordance with the contract by the City Council of said city,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of Colorado Street hereinbefore described be and

the same are hereby in all things approved and accepted by the City of Austin.

2.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

3.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steok absent.

The Mayor laid before the Council the following report of H.R.F.Helland, Consulting Engineer:

"Austin, Texas, September 19, 1929.

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

This is to advise that the Southwest Bitulithic Company has completed paving and other improvements on Guadalupe Street from the north line of First Street to the south line of Fifth Street according to the plans and specifications adopted for these improvements.

I therefore recommend the acceptance of these improvements.

Yours very truly,

(Sgd) H. R. F. Helland, Consulting Engineer".

The above report was read and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF GUADALUPE STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 19th day of April, 1929, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

GUADALUPE STREET from the north property line of West First Street to the north property line of West Fifth Street, known and designated as Unit or District No. 8; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said city,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of Guadalupe Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

2.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

3.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

Thos. F. Taylor appeared before the Council and requested that the City either accept the dedication of Avenue "A" from Thirty-Ninth to Fortieth Streets as a street, heretofore made by him, or have same revert to him. The Council took the matter under advisement.

The Mayor laid before the Council the following resolution:

WHEREAS, a great deal of permanent improvement is in prospect in the territory included between Mary and Annie Streets, Newton and Brackenridge Streets; and

WHEREAS, the City Council adopted a resolution fixing the location of curb lines on April 4th, 1929; and

WHEREAS, the City Council has reconsidered the conditions existing on said two streets; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the width between the face of curbs on Annie Street from Newton Street to Brackenridge Street shall be 30 feet, and that the south face of the north curb shall be 12 feet north of and parallel to the center line of Annie Street and that the north face of the south curb shall be 18 feet south of and parallel to the center line of Annie Street.

That the width between the face of curbs on Mary Street from Newton Street to Congress Avenue shall be 36 feet and that the south face of the north curb shall be 15 feet north of and parallel to the center line of Mary Street and that the north face of the south curb shall be 21 feet south of and parallel to the center line of Mary Street.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

The Mayor laid before the Council application of Central Texas Refining Company by Severn Bros., to erect storage tanks at East Fifth and Waller Streets; also the following report of the Safety Committee upon same:

"Austin, Texas, Sept. 19, 1929.

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have considered the request of the Central Texas Refining Company as submitted by the Severn Brothers for a permit to erect four storage tanks at East Fifth and Waller Streets.

We consider that the site is suitable for a wholesale gasoline storage site but we consider that the existing improvements on the tract of land in question present considerable hazard if allowed to remain adjacent to the proposed tanks when used for the storage of inflammable materials.

We suggest that the permit be granted subject to the owners safeguarding the situation by putting up a brick fire-wall between the old wooden buildings and the proposed tanks, said fire-wall to be at least four feet higher than the tops of the roofs of the buildings and to be constructed of brick or concrete; said fire-wall to be completed before the tanks are used for the storage of any inflammable materials, the design of wall and general change of improvements to be presented to and approved by the Safety Committee before the tanks are placed upon the property.

J. E. Woody, Fire Chief;

Geo. F. Krueger, Fire Marshal;

L. A. Palmer, City Plumbing
Inspector. "

Councilman Pannell moved that permit be granted, subject to the conditions set forth in the above report of the Safety Committee. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

The application of Guaranty Mortgage & Realty Company for permit to construct a gasoline filling station at No. 1001 East First Street was read the first time and laid over.

The Mayor laid before the Council the application of Matthew Edwards, Colored, for permit to construct a gasoline filling station at the corner of Rosewood Avenue and Colita Street; also the following report of the Safety Committee upon same:

"Austin, Texas, September 19, 1929.

Hon. Mayor and City Council,
Austin, Texas.

Gentlemen:

We, your committee on the application of Matthew Edwards to construct and operate a gasoline filling station and garage at the northwest corner of Rosewood and Colita Streets, make the following report:

We, your committee, recommend that permission be granted, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts, or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.

(2) That ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveway to be supported by brick or reinforced concrete pillars.

(3) That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters. All equipment to be installed in compliance with City and State Regulations governing such installations. All equipment to be inspected and approved before being placed in service.

(4) That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. The pumps shall be at least ten (10) feet inside the property line and all equipment shall be not less than thirty (30) feet from adjoining residence.

(5) That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.

(6) That "NO SMOKING" signs shall be displayed at all times, and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.

(7) That there shall be kept in an accessible place at all times, a chemical fire extinguisher for emergency use.

(8) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector, and the mechanic employed by the applicant to install the gasoline equipment shall apply to Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.

(9) That the grades of the station shall be such that no waste oils or water or any floor washing water shall ever pass over the City sidewalk area and that all of said waste oils and water shall be concentrated into a combined grease and sand trap and shall be conducted from said sand trap to the gutter at the northeast corner of the intersection of Rosewood and Colita Streets at the expense of the applicant.

(10) That a plan of the filling station hereto attached marked 2-B-185 shall be followed during construction and shall be considered a part of this resolution, said plan showing the proposed location of pumps, driveways and methods of draining away waste waters and oils.

(11) That all adjacent curbs, gutter, ramps and walks between the ramps and the filling station shall be constructed of concrete and shall conform to the attached plan of the development marked 2-B-185.

(12) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the Inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.

(13) That before using said station, the owner shall apply to the City Engineer for final inspection when he considers that he has complied with all of the requirements of the City.

(14) That permission shall be granted, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future, regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that said Matthew Edwards has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Sgd) J. E. Woody, Fire Chief;

Geo. F. Krueger, Fire Marshal;

Orin E. Metcalfe, City Engineer;

Tom Neal, Traffic Police Captain

L. A. Palmer, City Plumbing Inspector. "

Councilman Mueller moved that the above permit be granted, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilman Reed, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none; Councilman Steck absent.

The Mayor laid before the Council the following report of the Safety Committee:

"Austin, Texas, September 19, 1929.

Hon. Mayor and City Council,
Austin, Texas.

Gentlemen:

We, your committee on the application of A. E. Schutze to construct, revise and continue to operate a drive-in gasoline filling station and grocery store on Barton Springs Road make the following report:

That, whereas, the City Council took action at its regular meeting on the 5th day of September, 1929, expressing tentative approval of the site subject to Mr. Schutze's presenting a definite plan for his improvements; and

Whereas, Mr. Schutze has presented said plan which has been approved by the Safety Committee; therefore, we, your committee, recommend that final permission be granted subject to the following conditions:

- (1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts, or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.
- (2) That ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveway to be supported by brick or reinforced concrete pillars.
- (3) That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters. All equipment to be installed in compliance with City and State Regulations governing such installations. All equipment to be inspected and approved before being placed in service.
- (4) That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. The pumps shall be at least ten (10) feet inside the property line and all equipment shall be not less than thirty (30) feet from adjoining residence.
- (5) That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.
- (6) That "NO SMOKING" signs shall be displayed at all times and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.
- (7) That there shall be kept in an accessible place at all times, a chemical fire extinguisher for emergency use.
- (8) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector, and the mechanic employed by the applicant to install the gasoline equipment shall apply to Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.
- (9) That the grades of the station shall be such that no waste oils or water or any floor washing water shall ever pass over the City sidewalk area and that all of said waste oils and water shall be concentrated into a combined grease and sand trap and shall be conducted from said sand trap to the nearest city storm sewer at the expense of the applicant or shall be conducted to a seep well on the property of the applicant.
- (10) That a plan of the filling station hereto attached marked 2-1-23 shall be followed during construction and shall be considered a part of this resolution, said plan showing the proposed location of pumps, driveways and methods of draining away waste waters and oils.
- (11) That all adjacent walks, ramps, gutters shall be constructed of concrete within twelve months after date.
- (12) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the Inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.
- (13) That before using said station, the owner shall apply to the City Engineer for final inspection when he considers that he has complied with all of the requirements of the City.
- (14) That permission shall be granted, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that said A.E. Schutze has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Sgd) J. E. Woody, Fire Chief ;
 Geo. F. Krueger, Fire Marshal;
 Orin E. Metcalfe, City Engineer;
 Tom Neal, Traffic Police Captain;
 L. A. Palmer, City Plumbing Inspector. "

Councilman Mueller moved that the above permit be granted, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilman Reed and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none; Councilman Steck absent.

The Mayor laid before the Council the following report of the Safety Committee:

"Austin, Texas, September 19, 1929.

Hon. Mayor and City Council,
Austin, Texas.

Gentlemen:

We, your committee, on the application of L. B. Burnette to construct and operate a drive-in gasoline filling station on the southeast corner of Duval and Forty-fifth Streets, make the following report.

That, whereas, the City Council took action at its regular meeting on the 18th day of April, 1929, expressing tentative approval of the site subject to Mr. Burnette presenting a definite plan of his proposed construction; and

WHEREAS, Mr. Burnette has presented said plan which has been approved by the Safety Committee; therefore, we, your committee, recommend that final permission be granted, subject to the following conditions:

- (1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.
- (2) That ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveway to be supported by brick or reinforced concrete pillars.
- (3) That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters. All equipment to be installed in compliance with City and State Regulations governing such installations. All equipment to be inspected and approved before being placed in service.
- (4) That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. The pumps shall be at least ten (10) feet inside the property line and all equipment shall be not less than thirty (30) feet from adjoining residence.
- (5) That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.
- (6) That "NO SMOKING" signs shall be displayed at all times and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.
- (7) That there shall be kept in an accessible place at all times a chemical fire extinguisher for emergency use.
- (8) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector, and the mechanic employed by the applicant to install the gasoline equipment shall apply to Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.
- (9) That the grades of the station shall be such that no waste oils or water or any floor washing water shall ever pass over the City sidewalk area and that all of said waste oils and water shall be concentrated into a combined grease and sand trap and shall be conducted from said sand trap to the nearest City storm sewer at the expense of the applicant. Before commencing any construction the applicant shall apply to the City Engineer for an estimate of the cost of the storm sewer and shall deposit in escrow a sum equal to said estimate with the City Finance Director.
- (10) That a plan of the filling station hereto attached marked 2-H-33 shall be followed during construction and shall be considered a part of this resolution, said plan showing the proposed location of pumps, driveways and methods of draining away waste waters and oils.
- (11) That all adjacent walks and ramps and the gutters and curbs on Forty-fifth Street shall be constructed of concrete and all construction shall conform to the attached plan of development marked 2-H-33.
- (12) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the Inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.
- (13) That before using said station, the owner shall apply to the City Engineer for final inspection when he considers that he has complied with all of the requirements of the City.
- (14) That permission shall be granted, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, and said

permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future, regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that said L. B. Burnette has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Sgd) J. E. Woody, Fire Chief;
 Geo. F. Krueger, Fire Marshal;
 Orin E. Metcalfe, City Engineer;
 Tom Neal, Traffic Police Captain;
 L. A. Palmer, City Plumbing Inspector.

CITY SAFETY COMMITTEE."

Councilman Pannell moved that the above permit be granted, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none; Councilman Steck absent.

The Mayor laid before the Council the following resolution:

WHEREAS, Frank Barron is the contractor for the demolition of a building for the General Realty Company located on Lot 6, Block 82 of the Original City of the City of Austin and desires a portion of the street and alley abutting said premises during said construction to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That space for the uses hereinabove enumerated be granted to Frank Barron, the boundaries of which are described as follows:

Beginning at the intersection of the west line of Colorado Street and the north line of West Seventh Street; thence in a southerly direction along the west line of Colorado Street a distance of 12.3 feet to a point; thence in a westerly direction a distance of 46 feet to a point; thence in a northerly direction a distance of 6 feet to a point; thence in an easterly direction a distance of 72 feet to a point; thence in a southerly direction and parallel to the center line of Colorado Street to a point on a line making an angle of 45° with the west line of Colorado Street and passing through the point of intersection of the west curb of Colorado Street and the north curb of West Seventh Street; thence in a south-westerly direction along the line making an angle of 45° with the east line of Colorado Street to a point 26 feet south of the north line of West Seventh Street; thence in a westerly direction parallel to the center line of West Seventh Street to a point 46 feet west of the west line of Colorado Street; thence in a northerly direction to the north line of West Seventh Street; thence in an easterly direction along the north line of West Seventh Street to the point of beginning.

2. That the above privileges and allotments of space are granted to said Frank Barron, hereinafter termed Contractor, upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously and in good condition during the use of space hereby allotted along and inside of the east, south-east and south boundaries of said working space a substantial walkway at least 3½ feet wide and 4 feet high to be built according to the sketch marked Exhibit "A" hereto attached and made a part of this resolution.

(2) That the Contractor shall be permitted to maintain openings in the north and west boundaries of said working space, provided that while either of the openings is not in use by the Contractor in removing materials and debris from the site there shall be placed a 2" x 4" bar across the openings.

(3) That no vehicles shall be loaded or unloaded by the Contractor while parked on West 7th Street outside of the allotted working space.

(4) That storm waters shall be taken care of by the Contractor on both Colorado and West Seventh Streets.

(5) That the Contractor shall maintain along the north boundary of said working space a light fence in the form of a rail or grill, which could be easily wrecked by a fire truck in gaining access to the alley.

(6) That the Contractor shall furnish the City of Austin a surety bond in the sum of FIVE THOUSAND (\$5,000.00) DOLLARS, which shall protect, indemnify and hold harmless the City of Austin of any claims for damages to any persons or property that may accrue to or be brought by any persons by reason of the exercise of the privileges granted the Contractor by the City and shall guarantee the replacement of all sidewalk, pavement and all other public property and public utilities disturbed or removed during construction work and shall further guarantee the construction of the walkway and other safeguards during the occupancy of the space.

(7) That the Contractor shall remove all fences, barricades, walks, materials and other obstructions in the street or alley immediately after the necessity for their existence in said street or alley has ceased, such time to be determined by the City Manager.

(8) That the Contractor shall restore streets and alley to as good condition as same existed before the use of the space hereby granted the Contractor.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none; Councilman Steck absent.

The Mayor laid before the Council the following resolution:

WHEREAS, Ernest Parker is the contractor for alterations to be made to a building for Fred Pease, located on Lot "C", Block 60, of the Original City of the City of Austin, and desires a portion of the street abutting said premises during said construction to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That space for the uses hereinabove enumerated be granted Ernest Parker, the boundaries of which are described as follows:

Beginning at a point on the east line of Neches Street 40 feet north of the north line of East Fifth Street; thence in a westerly direction a distance of 12 feet to a point; thence in a southerly direction and parallel to the center line of Neches Street a distance of 44 feet to a point; thence in an easterly direction to the east line of Neches Street; thence in a northerly direction along the east line of Neches Street to the point of beginning.

2. THAT the above privileges and allotments of space are granted to said Ernest Parker, hereinafter termed Contractor, upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted along the west boundary of said working space a substantial walkway, at least $3\frac{1}{2}$ feet wide and 4 feet high, to be built according to the sketch marked Exhibit "A" hereto attached and made a part of the resolution.

(2) That the Contractor shall be permitted to maintain an opening in the north boundary of the working space, provided that at all times when the opening is not in use by the Contractor there shall be placed a 2" x 4" bar across the opening.

(3) That the Contractor shall furnish the City of Austin a surety bond in the sum of ONE THOUSAND (\$1,000.00) DOLLARS, which shall protect, indemnify

and hold harmless the City of Austin of any claims for damages to any persons or property that may accrue to or be brought by any persons by reason of the exercise of the privileges granted the Contractor by the City and shall guarantee the replacement of all sidewalk, pavement and all other public property and public utilities disturbed or removed during construction work and shall further guarantee the construction of the walkway and other safeguards during the occupancy of the space.

(4) That the Contractor shall remove all fences, barricades, walks and materials and other obstructions in the street immediately after the necessity for their existence in said street has ceased, such time to be determined by the City Manager.

(5) That the Contractor shall restore the street and sidewalk to as good condition as same existed before the use of space hereby granted to the Contractor.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none; Councilman Steck absent.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING THE STANDING
OF VEHICLES ON A CERTAIN PORTION OF
COLORADO STREET AND WEST SEVENTH STREET
IN THE CITY OF AUSTIN, REPEALING ALL
ORDINANCES IN CONFLICT AND PRESCRIBING
A PENALTY.

The above ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance passed to its second reading. Motion was seconded by Councilman Reed and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

The ordinance was read the second time and Councilman Mueller moved that the rule be suspended and the ordinance passed to its third reading. Motion was seconded by Councilman Reed and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Reed, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none; Councilman Steck absent.

The Mayor laid before the Council the following:

"Austin, Texas, September 19, 1929.

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

The Zoning Commission at its last session considered its future work in a general way and believe will need an authorization for various expenses to properly prosecute its work. The following budget, we believe should be provided for the balance of the year 1929.

Stenographic services -	\$ 80.00
Expenses of City Plan Engineer -	125.00
City stationery -	15.00
Dixon B. Penick - City Map -	50.00
Maps and Incidentals -	20.00
Drafting Work -	150.00
Total -	<u>\$440.00</u>

The only part of the work which might be cut out would be the drafting work and that might be done by the drafting department out of the regular drafting department budget.

Yours very truly,

(Sgd) Orin E. Metcalfe,
Secretary Zoning Commission. "

Councilman Reed moved that the foregoing budget for the Zoning Commission be approved and the funds for same be appropriated out of the General Fund. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none; Councilman Steck absent.

A communication from Max H. Bickler, Chairman Austin Chamber of Commerce Aviation Committee, with reference to improvements to be made at the Airport, was read and referred to the City Manager for recommendations.

Councilman Reed moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none; Councilman Steck absent.

The Council then recessed.

Approved: *J. N. McFadden*
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 26, 1929.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; absent, Councilman Mueller, 1.

The regular order of business was suspended to hear the committees present.

Stanley C. Hornsby, Attorney for Paul M. Deats, appeared before the Council and asked that action be taken upon the application of Paul M. Deats to erect a gasoline filling station at the corner of Nineteenth and Rio Grande Streets.

Councilman Reed then moved that the application of Paul M. Deats, through his Attorney, Stanley C. Hornsby, for permit to erect a gasoline filling station upon the property owned by said Paul M. Deats at the corner of Nineteenth and Rio Grande Streets, be denied. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none; Councilman Mueller absent.

John A. Gracy was heard with reference to the application of Guaranty Mortgage & Realty Company, through him, for the erection of a gasoline filling station at 1001 East First Street. A committee composed of Chas. F. Moore, Mrs. W. A. Kuse, W. D. Craig, et al, presented a petition, signed by a large number of residents in the vicinity, protesting against the erection of a filling station at this location.